

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF RHODE ISLAND

MARY SEGUIN, *pro se*

Plaintiff

v.

RHODE ISLAND OFFICE OF CHILD
SUPPORT SERVICES in its official
capacity; MICHAEL D. COLEMAN,
DEBORAH A. BARCLAY in their
individual and official capacities;
RHODE ISLAND OFFICE OF CHILD
SUPPORT SERVICES in its official
capacity; KEVIN TIGHE, MONIQUE
BONIN, FRANK DIBIASE, WENDY
FOBERT, KARLA CABALLEROS,
TIMOTHY FLYNN, LISA
PINSONNEAULT, CARL
BEAUREGARD, PRISCILLA
GLUCKSMAN, JOHN LANGLOIS,
PAUL GOULD, in their individual and
official capacities; RHODE ISLAND
STATE COURT SYSTEM in its official
capacity; PAUL A. SUTTELL in his
individual and official capacity as
Executive Head of Rhode Island State
Court System; RHODE ISLAND
ADMINISTRATIVE OFFICE OF STATE
COURTS in its official capacity;
RHODE ISLAND ADMINISTRATIVE
OFFICE OF THE SUPERIOR COURT in
its official capacity; RHODE ISLAND
JUDICIAL COUNCIL in its official
capacity; RHODE ISLAND SUPERIOR
COURT in its official capacity; RHODE
ISLAND SUPERIOR COURT JUDICIAL
COUNCIL in its official capacity; THE
JUDICIAL TECHNOLOGY CENTER in
its official capacity; JULIE HAMIL,
MARISA BROWN, JOHN JOSEPH
BAXTER, JR., JUSTIN CORREA in
their individual and official capacities;

C.A. No. 23-cv-126-WES-PAS

RHODE ISLAND OFFICE OF THE :
ATTORNEY GENERAL in its official :
capacity; RHODE ISLAND OFFICE OF :
THE ATTORNEY GENERAL OPEN :
GOVERNMENT UNIT in its official :
capacity; ADAM D. ROACH, :
PETER NERONHA in their official and :
individual capacities; :
TYLER TECHNOLOGIES, INC.; :
GERO MEYERSIEK :
Defendants :

**MOTION FOR ENLARGEMENT OF TIME TO ANSWER OR OTHERWISE
RESPOND TO THE AMENDED COMPLAINT (ECF 25)**

NOW COME the Defendants Rhode Island Department of Human Services and Rhode Island Office of Child Support Services, (“State Defendants”) and hereby move for an enlargement of time to answer or otherwise respond to the Amended Complaint (ECF 1), filed by Plaintiff Mary Seguin, *pro se* (“Plaintiff”) on September 1, 2023. As grounds thereof, State Defendants assert as follows:

1. The Amended Complaint spans ninety-one (91) pages and over two hundred fifty-five (255) paragraphs in length and contains nineteen (19) counts.
2. The subject matter of the Amended Complaint concerns child support arrears (among other issues mentioned stemming from the child support arrears), consisting largely of unpaid interest, owed by Seguin in connection with an ongoing Rhode Island Family Court proceeding. *See Meyersiek v. Seguin*, C.A. No. K20010521M (R.I. Family Ct. *filed* May 21, 2001).
3. On February 10, 2023, the Rhode Island Family Court heard oral arguments from Seguin and OCSS on the child support arrears that Seguin challenges in the Amended Complaint. *See id.*

4. Following the hearing, the Rhode Island Family Court found significant arrears owed by Seguin but continued the matter to allow Seguin the opportunity to further dispute those arrears. The proposed order filed with the Rhode Island Family Court is attached hereto as ***Exhibit A***.
5. Several hearings have occurred in the Rhode Island Family Court proceeding. The next hearing in the matter is scheduled for October 20, 2023.
6. In light of the ongoing Rhode Island Family Court proceeding, an enlargement of time is in the interests of judicial economy.
7. Moreover, an enlargement of time is further needed to parse through Plaintiff's 91 page, 19 count Amended Complaint and respond in a manner that is both meaningful and that advances this litigation in the most judicially economic manner possible.
8. The undersigned counsel asserts that an enlargement of time is further necessary because of professional obligations in other matters pending in federal and state courts.
9. This is State Defendants' **First Request** for an enlargement of time to answer or otherwise respond to the Amended Complaint (ECF 25).

WHEREFORE, State Defendants respectfully request that this Honorable Court grant the instant Motion and enlarge the time for State Defendants to answer or otherwise respond by sixty (60) days, up to and including October 31, 2023.

Respectfully Submitted,

**RHODE ISLAND DEPARTMENT
OF HUMAN SERVICES; RHODE
ISLAND OFFICE OF CHILD
SUPPORT SERVICES,**

By:

**PETER F. NERONHA
ATTORNEY GENERAL**

/s/ Marissa D. Pizaña

Marissa D. Pizaña (#10468)
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CERTIFICATE OF SERVICE

I hereby certify that on September 6, 2023, I filed the within document via the ECF filing system and that a copy is available for viewing and downloading.

/s/ Marissa D. Pizaña

EXHIBIT A

STATE OF RHODE ISLAND

FAMILY COURT

PROVIDENCE, SC

FAMILY COURT NO. K010521M

State of Rhode Island ex rel.
GERO K MEYERSIEK

VS

MARY SEGUIN

JUDGMENT / ORDER

This matter came for hearing on February 10, 2023 before Magistrate ARMANDO O. MONACO upon the Motion to Set Arrears & Discovery Motions filed by the Plaintiff and after hearing thereon, it is hereby:

ORDERED, ADJUDGED, AND DECREED

1) That this matter is continued to June 8, 2023 for hearing on motion to establish and secure an arrearage order, and all other pending motions at 2:00 PM with all subpoenas to remain in full force and effect.

2) The Plaintiff and the Defendant were present.

3) This matter came on for hearing via WebEx.

4) The Court finds that the arrears of \$81,652.46 are to be placed on the child support ledger without prejudice to the June 8, 2023 hearing. Said arrears reflect interest on child support in the amount of \$75,623.71 and interest on medical support in the amount of \$6028.75.

5) The Court continues the matter to allow the Defendant the opportunity to dispute said arrears.

6) The Court takes Judicial notice of the May 24, 2012, and September 25, 2012 orders of Justice McCann. The State's Motion to

Toll Time Time to Reply to the Defendant's First Request for Production of Documents is granted.

7) The Defendant's Rule 7(b) Motion for Extension and Rule 40 (b) Motion for Continuance is granted.

8) The Defendant's Motion to Compel Production of Documents is continued.

9) The State agrees it shall respond to the Defendant's First Request for Production of Documents forthwith.

10) This matter has been continued. On the next hearing date and time the parties are instructed and required to call the Family Court Courtroom at 1-617-315-0704 and enter Access Code 2633 070 4034.

Alternatively, the parties may choose to participate by Webex Website (no spaces) [https:// ricourts. webex.com /meet /garrahy5f](https://ricourts.webex.com/meet/garrahy5f)

11) If there is an arrears when the youngest child is emancipated - the child support order, medical order and arrears order will be added together and applied towards the arrears until it is paid in full.

12) Pursuant to Federal Law, either party has a right to request a review and modification of their child support order by filing a motion with Family Court. State law requires both parties to notify the child support agency within ten (10) days of any address change or change of employment.

Presented by:



PAUL D. GOULD ESQUIRE Bar No.: 04659

Legal Counsel - Office of Child Support Services

CERTIFICATION

The Office of Child Support Services certifies that a copy of the within order was mailed to GERO K. MEYERSIEK at through an automated process on February 16, 2023.

The Office of Child Support Services certifies that a copy of the within order was mailed to MARY SEGUIN P.O. BOX 22022 HOUSTON, TX 77019 through an automated process on February 16, 2023.

/s/ Child Support Representative

Approved:

Date

Magistrate ARMANDO O. MONACO